IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 6528 of 1991

For Approval and Signature:

Hon'ble MR.JUSTICE S.K.KESHOTE

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1. Whether Reporters of Local Papers may be allowed to see the judgements? : NO

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy of the judgement? : NO

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO

5. Whether it is to be circulated to the Civil Judge? : NO

UNITED CONSTRUCTION CO.

Versus

EXECUTIVE ENGINEER(CIVIL) TELECOM CIVIL DIVISION

Appearance:

None present for Petitioner

None present for Respondents

CORAM : MR.JUSTICE S.K.KESHOTE

Date of decision: 27/07/2000

ORAL JUDGEMENT

#. Perused the special civil application and reply-affidavit filed on behalf of respondents.

#. The petitioner, in this petition, is praying for

quashing and setting aside the order of respondent No.1 dated 4.9.91, annexure-A, under which it's request for enlistment in the category of Class-I(B) contractor was declined. This order has been passed on 4.9.91. There are all the possibilities that by now, the petitioner would have been enlisted as Class-I(B) contractor by respondent. The absence of learned counsel for the petitioner is also suggestive of the fact that now the grievances as made in the special civil application probably do not survive. Otherwise also, decision taken on the application by respondent under annexure-A is not res-judicata and it is always open to the petitioner to apply for fresh enlistment and to consider that claim afresh by the respondent. The special civil application is disposed of in the terms that still, if the petitioner is not enlisted by respondent as Class-I(B) contractor, it is open to it to file fresh application for the same within a period of fifteen days from the date of receipt of the certified copy of this order and the respondent, to decide this application within a period of one month next. Rule and special civil application stand disposed of accordingly with no order as to costs.

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(sunil)